

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

AATU, LLC, et al.,

Plaintiffs,

v.

JARED BROWN, D.C.; and JORDAN  
KUPPINGER, M.D.,

Defendants.

CIVIL ACTION NO.: 4:25-cv-33

**ORDER**

Plaintiffs initiated this action by filing a Complaint in this Court on February 14, 2025. (Doc. 1.) On April 17, 2025, Plaintiffs filed a “Notice of Voluntary Dismissal,” stating that they wish to dismiss, with prejudice, Defendant Jordan Kuppinger, M.D. (Doc. 9.) Defendant Kuppinger has not filed an answer or a motion for summary judgment. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff may dismiss an action by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Accordingly, Defendant Jordan Kuppinger, M.D., is **DISMISSED WITH PREJUDICE**. See Plains Growers, Inc. v. Ickes-Braun Glasshouses, Inc., 474 F.2d 250, 255 (5th Cir. 1973) (“[R]eading the rules governing dismissal by notice and dismissal by motion together, we conclude that it was intended by the rule-makers to permit dismissal against such of the defendants as have not served an answer or motion for summary judgment . . .”).<sup>1</sup> The Court **DIRECTS** the Clerk

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<sup>1</sup> In Bonner v. City of Prichard, 661 F.2d 1206, 1209 (11th Cir. 1981) (en banc), the Eleventh Circuit adopted as binding precedent all decisions of the former Fifth Circuit handed down prior to October 1, 1981.

of Court to **TERMINATE** Jordan Kuppinger, M.D., from this case and to **UPDATE** the docket accordingly.

**SO ORDERED**, this 21st day of April, 2025.

A handwritten signature in blue ink, appearing to read "R. Stan Baker". The signature is stylized with a large "R" and "S" and a cursive "Baker".

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R. STAN BAKER, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA